



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Thursday, the Twenty Third day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10012 of 2016

1 S. ANANDHI

2 SATHYA

... PETITIONERS/ACCUSED NO.3 & 4

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
SELLUR POLICE STATION,  
MADURAI DISTRICT.  
CRIME NO. 1175 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MUNIYANDI Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

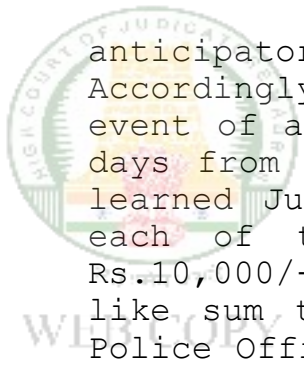
The petitioner, who is arrayed as Accused Nos.3 and 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC, in Crime No.1175 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel the petitioners attacked the defacto complainant by using hands and also threatened him with dire consequences.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, the petitioners have already filed Crl.O.P(MD)No.7743 of 2016 for anticipatory bail before this Court and this Court vide order dated 04.05.2016, granted anticipatory bail to them. They could not produce the sureties before the Judicial Magistrate for the reason that they did not get solvency certificate from the Tahsildar. Hence, the petitioners have come up with the present petition.

4.Heard the learned Government Advocate (Criminal side).

5.Considering the facts and circumstances of the case and also the considering fact that this Court has already granted anticipatory bail to the petitioners vide order dated 04.05.2016 made in Crl.O.P(MD)No.7743 of 2016, this Court is inclined to grant



anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Madurai, on condition that the each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-  
23/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE, SELLUR POLICE STATION,MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.MUNIYANDI Advocate SR.No.32501  
CSL/ark-pv/SAR-I/29.06.2016 : 2p/6c

ORDER  
IN  
CRL OP(MD) No.10012 of 2016  
Date :23/06/2016